

# **EXHIBIT E**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS

STUDENTS FOR FAIR ADMISSIONS, )  
INC., )

*Plaintiff,* )

v. )

Case No. 1:20-cv-763

UNIVERSITY OF TEXAS AT AUSTIN; )  
JAMES B. MILLIKEN, Chancellor of the )  
University of Texas System in his )  
Official Capacity; STEVEN LESLIE, )  
Executive Vice Chancellor for Academic )  
Affairs of the University of Texas System )  
in his Official Capacity; DANIEL H. )  
SHARPHORN, Vice Chancellor and )  
General Counsel of the University of Texas )  
System in his Official Capacity; )  
JAY HARTZELL, Interim President of the )  
University of Texas at Austin in his )  
Official Capacity; BOARD OF REGENTS )  
OF THE TEXAS STATE UNIVERSITY )  
SYSTEM; DAVID J. BECK, CHRISTINA )  
MELTON CRAIN, KEVIN P. ELTIFE, R. )  
STEVEN HICKS, JODIE LEE JILES, )  
JANIECE LONGORIA, NOLAN PEREZ, )  
KELCY L. WARREN, AND JAMES C. )  
“RAD” WEAVER, as Members of the Board )  
of Regents in Their Official Capacities; )  
DANIEL JAFFE, Interim Executive Vice )  
President and Provost; RACHELLE )  
HERNANDEZ, Senior Vice Provost for )  
Enrollment Management and Student )  
Success; and MIGUEL WASIELEWSKI, )  
Executive Director for Office of Admissions, )

*Defendants.* )

**Declaration of  
Brianna Mallorie McBride**

I, Brianna Mallorie McBride, pursuant to 28 U.S.C. § 1746, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand

knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.

2. I identify as an African American female. My family has lived in the U.S. for generations and I am a descendent of slaves.
3. I am currently a rising senior at the University of Texas at Austin (“UT”), class of 2021. I am pursuing two majors: Communications and Leadership as well as Government. I am minoring in African and African Diaspora Studies.
4. My racial identity impacted all my educational experiences growing up, influencing how others viewed and treated me. From third grade through high school, I attended a small charter school system in Houston, Texas called Harmony Public Schools. Teachers, administrators, and classmates often viewed me in stereotypical ways because I was African American. Classmates often told me I was “funny” even though I did not act like a class clown. One teacher repeatedly told me and other Black students to “try out for the track team” even though we had no special interest in athletics. While quick to see me as an athlete or jokester, teachers and classmates were less likely to see me as intelligent. Whenever I participated or spoke up in my Psychology class, the teacher didn’t take me seriously and just thought I was making jokes.
5. I had to work much harder than other students to prove myself academically and overcome these stereotypes. Thanks to my hard work, I managed to qualify for the highest academic track and advanced coursework at my school. But relatively few Black students qualified for these advanced courses. I constantly felt judged by others, which added pressure to prove that I belonged in the accelerated track.
6. My high school did not provide a welcoming environment for Black students. Administrators often confused me with other African American students. They

discouraged and censored our advocacy to promote Black history month and express that Black lives matter. They shamed us for using African American vernacular, rather than recognizing our skillful ability to code-switch.

7. I applied to UT in the fall of 2016. I was a good student and strong academically. I had taken 8 Advanced Placement courses in high school, along with four college-level dual credit courses. I had a 4.06 GPA and scored 1330 out of 1600 on the SAT exam.

8. I participated in my high school's fine arts, athletics, and academic extracurricular activities. For example, I played both the viola in the school orchestra and the Point Guard position for the basketball team. I was also part of the National Honors Society and Key Club. I was an active student leader of a group called "Project Graduation" that coordinated fundraisers for homecoming week, prom and graduation, and facilitated those events for the entire class. The project taught me valuable event planning, budgeting, fundraising, communication, and management skills. The most important skill I developed was collaborative leadership with my student peers. Many of the student leaders in my senior class were Black women, and together we built a strong sense of identity and learned how to build diverse coalitions to lead across lines of difference to make Project Graduation a success.

9. Since my high school focused on college readiness, it was a highly competitive academic environment with many high-achieving students. I was ranked 23 out of 127. I knew that I fell outside the top 7%. This did not worry me because I knew my credentials were strong and I applied to several out-of-state private institutions as well.

10. I wrote one of my admissions essays about my family. I discussed the lessons that I learned from joining a jazz band which was run by my great uncle. To authentically share my story, I used phrases that are prominent in the Black community. I talked about

how my dad took me out of classical piano classes and sent me to my uncle so I could learn to “feel the flavor” of music. I shared how these jazz lessons in “flavor” extended to larger life lessons from my uncle. My teacher suggested removing my family’s phrasing. But I decided to leave it in because captured my story and what I would bring to college.

11. I was admitted to UT through the holistic admissions process. Initially, UT was not my first-choice college. When I visited, I did not see very many Black students. I initially felt that UT did not have the diversity that I wanted. I was accepted into several other schools, including New York University (NYU). Initially, I was leaning towards NYU, but UT offered me an academic scholarship in addition to my federal aid. It also helped that I knew many students of color who were planning to attend UT in the fall, including several of my friends who were also African American.

12. At UT, I have been active inside and outside of the classroom. I have served in a leadership capacity in several student organizations, including: Black Student Alliance (Executive Board), Afrikan American Affairs (Executive Board), African American Culture Committee (President), and New Black Student Weekend (Executive Co-Chair) and NAACP-UT (Member). Currently, I serve as the Co-Director of the Black President’s Leadership Council and Executive Chairperson of the Big XII Council on Black Student Government. Outside of student organizations, I have acquired research assistant opportunities with the Center for the Study of Race & Democracy, studied abroad in Cape Town, South Africa, and I’m an inaugural member of the Women’s Initiative for Entrepreneurship and Leadership Development program. Through my academic and extracurricular work, I have earned the following awards: Sophomore of the Year (2019), Junior of the Year (2020), Student Leader of the Year(2020), Chair of

the Year (2020), and Malcolm C Activism & Social Advocacy Award (2020). Lastly, I am a Moody Dean's Scholar, Joe R. Long Scholar, and I have made the Dean's Honors List each semester.

13. As a student at UT, I am grateful that we have a strong Black student community on campus. We are not the largest group, but we have many programs to support Black students, including more than thirty student organizations. We also have events to recruit Black students. This includes a Black student weekend where we welcome incoming Black students and provide them with mentorship and information on how to navigate campus as a Black student. We have a presence at UT, even though classes still lack sufficient numbers of Black students.

14. I would not be able to thrive as a student without the strength of the Black community at UT. The amount of support, leadership development, and professional development I've been able to experience through my community has positively affected my daily life on campus.

15. Even at current representation levels, it is often difficult to be a Black student at UT. In many classes, there are few or no other Black students. This makes speaking up uncomfortable because you are viewed as a spokesperson for your race. When I have been the only Black student in a group project, classmates assumed that I would not contribute. To combat this stereotype and bias, I make an effort to be the first to speak or contribute my opinion on how to complete the assignment. As one of the few Black students in my classes, it has also made it harder to find classmates who will share notes with me and it makes me feel more alienated in classes.

16. Black students make up only 5 percent of undergraduate students, and Black professors only 4.4 percent of the faculty, yet many in the UT community remain hostile

to our presence. Opponents of racial diversity try to justify anti-Black behavior by misconstruing and blaming affirmative action as the cause, but in my experience, the very presence of Black students and professors is what causes the hostility, microaggressions, stereotypes, and instances of racism. For example, there have been several protests on campus centered on the idea that Black students only received admission into UT because of affirmative action. These actions are insulting, unwelcoming, and rooted in the legacy of racism—a legacy that Black students are playing a leading role in eradicating on campus.

17. UT has many more steps to take to ensure that it is a welcoming community that is more racially diverse, not less. More diversity would also serve as an antidote to racial hostility.

18. I have had many conversations with students who have said “I’ve never met a Black person like you before.” Some have thanked me for my contributions both inside and outside of the classroom. Several classmates and friends have told me that the relationships we have been able to build shattered their stereotypes about Black people, and “opened their eyes” to the realities that others face because of their racial identity in our society. While these conversations are important, they are also exhausting and place a heavy burden on Black students to lead all others in learning how to be respectful and civil toward others who may be different. Having more Black students at UT would spread out this work and make it less exhausting. Additionally, the more racially diverse the campus, the more diverse and meaningful the learning experiences would likely be.

19. I currently work as a Student Ambassador for the Admissions Office where I conduct tours to prospective students. Out of 83 tour guides, there are currently only 9 who identify as Black. This sometimes makes me feel isolated, but I also work for the

Admissions Access and Inclusion team, serving as a critical link in the enrollment pipeline for students of color. In my experience, admitted applicants of color are more likely to choose UT when they see sufficient numbers of other minority students on campus and believe UT offers a racially diverse and inclusive learning environment. I have also had admitted students tell me that they are choosing to enroll in another college because UT does not have enough Black students. My experience has shown me that the recruitment of Black high school students can be greatly enhanced by outreach efforts from Black students and staff.

20. The COVID-19 epidemic has only made this work more important, and my colleagues and I are brainstorming about how to reach out to communities of color where UT may not typically recruit talented, low-income high school students. Without more Black students to contribute to these efforts, UT would fail in its obligation to provide ladders of opportunity for all Texans—particularly those that have historically been excluded from the institution, namely, Black students.

21. Having a sufficient number of Black students on campus and in leadership has also been important to recover from racially isolating incidents on campus. In the winter of my freshman year, a white supremacist group marched with tiki torches through the Main Mall of campus around 10 PM on a Friday. This march understandably alarmed many students of color since such groups have historically terrorized Black and Brown communities in this country. But university officials did not provide support to students during the incident and did not alert students about the incident until the next day. As an African American, the episode made me feel more isolated and unsafe on UT's campus.

22. I have felt more supported on UT's campus by seeing more Black students rise to positions of power in campus organizations over the past several years. For example,



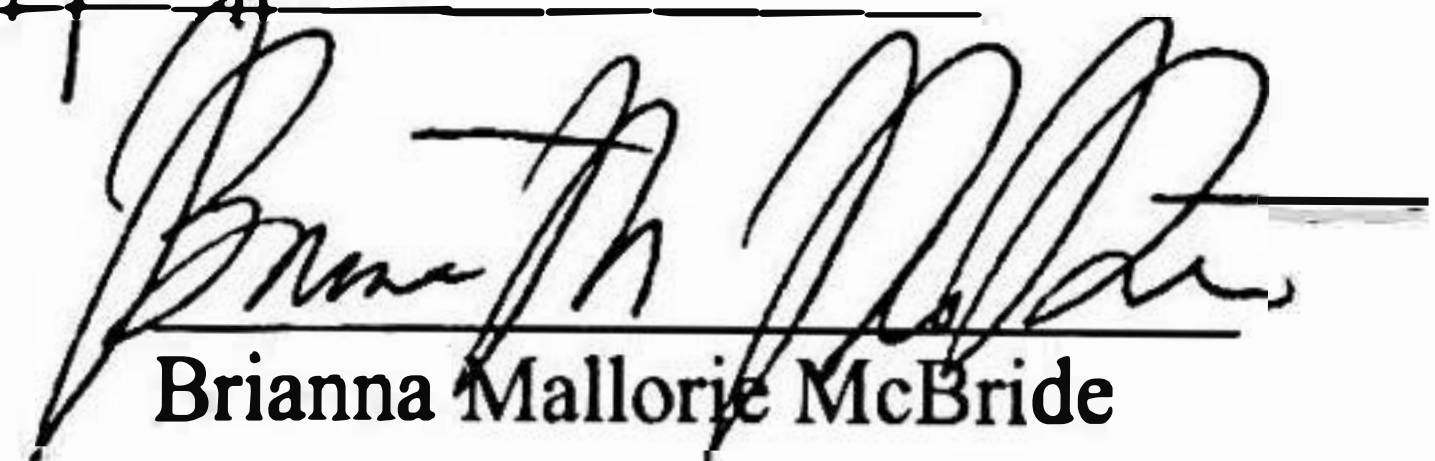
during my Junior year the student government president and vice president both identified as Black. This type of visible representation helps show that UT is becoming a college where Black students are welcome and full participants in the academic community.

23. I support considering race in holistic admissions because it promotes a more racially diverse applicant pool and a more racially diverse student body. If the number of students of color decreased, it would hurt UT's community overall. It would also make it harder to recruit students of color who need to feel like they would have a family once arriving on campus. Learning both inside and outside of the classroom would be negatively affected due to a narrower range of racial experiences to draw from. More racial diversity better ensures there is a diverse array of perspectives on today's most challenging issues. It also better expands opportunities for students from all racial and ethnic backgrounds. For all these reasons, race-conscious admissions remains critical for educating students at UT and Texas' next generation of leaders.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County in the State of Texas on

11/2/20



Brianna Mallorie McBride